

REMARKS

INTRODUCTION:

In accordance with the foregoing, claims 3-5, and 17 have been canceled without prejudice or disclaimer, and claims 1, 6-10, 15, 16, 18, 19, and 24-26 have been amended. No new matter is being presented, and approval and entry are respectfully requested.

Claims 1, 2, 6-16, and 18-26 are pending and under consideration.

REJECTION UNDER 35 U.S.C. §103:

In the Office Action, at page 2, item 3, the Examiner rejected claims 1-21, and 24-26 under 35 U.S.C. §103(a) as being unpatentable over Yoshikawa et al. (U.S. Patent No. 5,808,704 – hereinafter Yoshikawa). The reasons for the rejection are set forth in the Office Action and therefore not repeated. Applicants traverse this rejection and respectfully request reconsideration.

In the Office Action, at page 5, item 4, the Examiner rejected claims 22 and 23 under 35 U.S.C. §103(a) as being unpatentable over Yoshikawa, and further in view of Lowe (U.S. Patent No. 6,545,729). The reasons for the rejection are set forth in the Office Action and therefore not repeated. Applicants traverse this rejection and respectfully request reconsideration.

Amended, independent claim 1 recites: "...a pair of CRT brackets, provided between the first and second casings, to support the CRT assembly, each CRT bracket comprising a CRT combination part, connected to the CRT assembly, and slantly disposed in correspondence with a projecting angle of the image beams from the CRT assembly, to project the image beams on a screen, and a CRT supporting rib, connected at a first end of the CRT supporting rib to a first side of the CRT combination part, to support the CRT combination part."

Amended, independent claim 15 recites: "A bracket...comprising: a CRT supporting rib; and a CRT combination part, connected to a first end of the CRT supporting rib, connected to the CRT assembly, and supporting the CRT assembly at an angle corresponding with a projection angle of the CRT assembly, wherein a second end of the CRT supporting rib is connected to the casing for the projection television."

And amended, independent claim 16 recites: "...a CRT bracket, connected to both the second casing and the CRT assembly to support the CRT assembly at an angle corresponding to a projection angle of the image beams, to project the image beams on the screen, the CRT bracket comprising a CRT supporting rib, and a CRT combination part, connected to both a first end of the CRT supporting rib and the CRT assembly, wherein a second end of the CRT supporting rib is connected to the second casing."

In the Office Action, the Examiner appears to misinterpret the phrase "connected to." For example, in rejecting claim 10, the Examiner states: "[w]hen assembled every part is connected to every part therefore the first casing is connected to the CRT supporting rib." Using the Examiner's reasoning, since the rear projection type image display apparatus of Yoshikawa touches the floor and the wall (See Yoshikawa, at FIG. 22), and the wall of a room touches a ceiling, both the floor and the rear projection type image display apparatus would be "connected to" the ceiling. Further, in such a hypothetical room, if the floor led to a doorway outside and there was a tree outside, then by the Examiner's interpretation, the rear projection type image display apparatus would be "connected to" the tree. Applicants respectfully submit that this interpretation is incorrect, and that if a first element touches a second element only through a series of intervening elements, then the first element is not "connected to" the second element. Further, Applicants respectfully submit that one of ordinary skill in the art would not interpret the rear projection type image display apparatus of Yoshikawa to be "connected to" the ceiling unless it was described or shown as being mounted on the ceiling.

Applicants respectfully submit that the subject matter of claims 3 and 17 have been incorporated into independent claims 1 and 16, respectively.

Regarding claims 1, 15, and 16, in the Office Action at pages 3 and 5, the Examiner appears to assert that the combination of the loud speaker chambers 13 and the portions D in FIGS. 6 and 8 of Yoshikawa are analogous to the CRT brackets 50 of the subject application. Further, in rejecting claims 3, 5, 8, and 9, the Examiner appears to assert that the portion D is analogous to both the CRT combination part and the separately recited CRT supporting rib of the subject application. Portion D is a single structure, and cannot be connected at a first end of portion D to a first side of portion D.

Applicants respectfully submit that Yoshikawa neither discloses nor suggests a "CRT bracket comprising a CRT combination part, connected to the CRT assembly, and slantly disposed in correspondence with a projecting angle of the image beams from the CRT assembly, to project the image beams on a screen, and a CRT supporting rib, connected at a first end of the CRT supporting rib to a first side of the CRT combination part, to support the CRT combination part."

Regarding claims 2 and 8, the Examiner appears to assert that the side panels 38 shown in FIG. 21 of Yoshikawa are connected to the loud speaker chambers 13 and the portions D since the side panels 38 are connected to the back cover 37. While the description of FIG. 21 appears to suggest that the side panels 38 are connected to the back cover 37, neither FIG. 21 nor the description disclose or suggest that the side panels 38 are directly connected to the loud speaker chambers 13 OR the portions D. (See Yoshikawa, at col. 22, lines 11-20, and FIG. 21.)

Regarding claim 10, the Examiner appears to assert that the casing that is cut away in FIG. 6 of Yoshikawa is connected to the portion D. But Yoshikawa neither discloses nor suggests that the casing that is cut away in FIG. 6 is connected to the portion D. Indeed, in FIG. 6, the casing that is cut away appears to extend frontwardly, away from the loud speaker chambers 13, and therefore such casing would not even contact the portion D, let alone be connected directly to portion D.

Regarding claim 24, the Examiner appears to suggest that FIG. 22 of Yoshikawa shows that in cross section, either the loud speaker chambers 13 or the portions D are u-shaped. Neither the loud speaker chambers 13 or the portions D appear in FIG. 22, and none of FIGS. 1-21 or 23-60 suggest that either the loud speaker chambers 13 or the portions D are anything but rectangular in cross section.

Applicants respectfully submit that independent claims 1, 15, and 16 patentably distinguish over the cited art, and should be allowable for at least the above-mentioned reasons. Further, Applicants respectfully submit that claims 2, and 6-14, which ultimately depend from independent claim 1, and claims 18-26, which ultimately depend from independent claim 16, should be allowable for at least the same reasons as claims 1 and 16, as well as for the additional features recited therein.

DOUBLE PATENTING REJECTION:

In the Office Action, at page 6, item 6, the Examiner rejected claims 1-26 provisionally rejected claims 1-26 under the judicially created doctrine of obviousness-type double patenting over claims 3-8, 10, and 11 of co-pending application No. 10/453,504 in view of Yoshikawa. The reasons for the rejection are set forth in the Office Action and therefore not repeated.

In the Office Action, at page 7, item 7, the Examiner also provisionally rejected claims 1-26 under the judicially created doctrine of obviousness-type double patenting over claims 18, 2, 3, 6-8, and the associated independent claims of co-pending application No. 10/702,503 in view of Yoshikawa. The reasons for the rejection are set forth in the Office Action and therefore not repeated.

Since U.S. Patent Application No. 10/702,503 has not yet been issued as a patent or otherwise been indicated as allowable, it is believed that any submission of a Terminal Disclaimer or arguments as to the non-obvious nature of the claims would be premature. MPEP 804(I)(B). As such, it is respectfully requested that the applicant be allowed to address any obviousness-type double patenting issues remaining on allowance of U.S. Patent Application No. 10/702,503.

CONCLUSION:

In accordance with the foregoing, Applicants respectfully submit that all outstanding objections and rejections have been overcome and/or rendered moot, and further, that all pending claims patentably distinguish over the cited art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.


If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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Date OCT 22, 2004

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